U.S. Army Corps of Engineers - Charleston District
Checklist for 2007 Nationwide Permit Review
Nationwide Permit 12

Utility Line Activities
(10/404)

SAC #:_____

Applicant Name:_____

Waterway/Location:_____

Project Name:_____

1. Is the activity for the construction, maintenance, repair, or removal of utility lines and associated facilities in waters of the United States?

☐ Yes ☐ No

2. Will the activity meet any of the following criteria and/or exceed any of the following thresholds: (1)mechanized land clearing in a forested wetland for the utility line right-of-way; (2) a section 10 permit is required; (3) the utility line in waters of the United States, excluding overhead lines, exceeds 500 feet; (4) the utility line is placed within a jurisdictional area and it runs parallel to a stream bed that is located within that jurisdictional area; (5) discharges resulting in the loss of greater than 1/10 acre of waters of the U.S.; (6) more than 500 linear feet of fill associated with above grade access road; or (7) permanent access roads constructed in waters of the U.S. with impervious materials?

☐ Yes* ☐ No

3. Will the activity involve the discharge of fill material into non-tidal wetlands adjacent to tidal waters of the United States for the construction, maintenance, or expansion of substation facilities?

☐ Yes ☐ No

4. If located in Section 10 waters, have the PCN and verification been sent to NOAA's National Ocean Service for charting purposes to protect navigation? (National Oceanic & Atmospheric Administration, Office of Coast Survey, N/CS26, STA 7317, 1315 East-West Highway, Silver Spring, Maryland 20910-3282) ***NOTE:*** *all utility lines constructed over or routed in or under Section 10 waters without a discharge of dredged or fill material require a Section 10 permit, except for pipes or pipelines used to transport gaseous, liquid, liquescent, or slurry substances over navigable waters of the U.S. These are considered bridges, not utility lines, and may need a permit from the U.S. Coast Guard under Section 9 of the Rivers and Harbors Act. However, any discharges of dredged or fill material associated with the*

pipelines (bridges) will require a Corps permit under Section 404.

☐ Yes __ No ☐ NA

5. If the activity is for the construction, maintenance, or repair of utility lines, will the activity result in a change in preconstruction contours?

__ Yes ☐ No ☐ NA

6. If a trench is excavated, and if the material resulting from the excavation is being sidecast into waters of the U.S., is it being sidecast for longer than 3 months (the District Engineer can extend the period for an additional 3 months, not to exceed 180 days total), and/or is it placed in such a manner as to be dispersed by currents or other forces?

__ Yes ☐ No ☐ NA

7. If a trench is excavated, is it constructed in such a manner that it drains waters of the U.S.?

__ Yes ☐ No ☐ NA

8. If a trench is excavated, are the exposed slopes and stream banks being stabilized immediately upon completion of the utility line crossing of each waterbody?

☐ Yes __ No ☐ NA

9. If the activity is for the construction or maintenance of foundations for overhead utility line towers, poles, or anchors, are the foundations the minimum size necessary and are separate footers used for each tower leg?

☐ Yes __ No ☐ NA

10. If the activity is for the construction of access roads associated with the construction and maintenance of utility lines, are the roads the minimum width necessary and are the roads constructed so that the length of the road minimizes the adverse effects to waters of the U.S. and to the preconstruction contours and elevations? ***NOTE:*** *Access roads used solely for the construction of the utility line must be removed upon completion of the work and the area restored to preconstruction contours, elevations, and wetland conditions.*

☐ Yes __ No ☐ NA

11. If the activity is for the construction of access roads and the roads are constructed above preconstruction contours and elevations, are the roads properly bridged and culverted to maintain surface flows?

☐ Yes __ No ☐ NA

12. If the activity involves temporary structures, fills, or work necessary to conduct the utility line activity, will the applicant take appropriate measures to maintain normal downstream flows and minimize flooding to the maximum extent practicable?

☐ Yes ___ No

13. Will temporary fills consist of materials, and be placed in a manner, that will not be eroded by expected high flows and will the temporary fills be removed in their entirety and the affected areas returned to pre-construction elevations and re-vegetated as appropriate?

☐ Yes ___ No

14. If the activity includes mechanized land clearing necessary for the construction, maintenance, or repair of utility lines; the construction, maintenance or expansion of utility line substations; foundations for overhead utility lines; or access roads, will the clearing and filling be the minimum necessary, and will the preconstruction contours be maintained?

☐ Yes ___ No

13. Does the activity cause the loss of greater than 1/2 acre of waters of the U.S.? ***NOTE:*** *Waters of the U.S. temporarily affected by the filling, flooding, excavation, or drainage where the project area is restored to preconstruction contours and elevation, are not included in the calculation of permanent loss of waters of the U.S. Where certain functions and values of waters of the U.S. are permanently adversely affected, such as the conversion of a forested wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation will be required.*

___ Yes ☐ No

14. Is the activity proposed in designated critical resource waters and/or their adjacent wetlands?

___ Yes ☐ No

15. Are all of the applicable NWP General Conditions satisfied, including mitigation (GC #20), endangered species, and cultural resources, and if any federally listed species and/or designated critical habitat occurs in the action area, have you made an effect determination and properly documented it in the administrative record?

☐ Yes ___ No

16. Does the discharge cause the loss of greater than 300 linear feet of streambed?

___ Yes ☐ No

17. Is the activity located adjacent to an authorized federal navigation project? These federal navigation areas include Adams Creek, Savannah River, Jeremy and Town Creek at McClellanville, Village Creek at Beaufort, the Charleston Harbor Navigation Project (to include the Federal navigation channels in Shipyard River, Wando River, Town Creek, and channels at the naval weapons station), Georgetown Harbor, Little River Inlet, Murrells Inlet, Main Creek at Murrells Inlet, Port Royal Harbor, Waccamaw River, Shem Creek, and the Atlantic Intracoastal Waterway?

☐ Yes* ☐ No

18. Is the associated intake structure screened to prevent entrainment of juvenile and larval organisms and is the inflow velocity of the associated intake structures limited to ≤ 0.5 ft/sec?

☐ Yes ___ No ☐ NA

19. Will this activity/authorization be used in conjunction with NWP 29 or 39 for a single and complete project?

__ Yes ☐ No

20. Are the wetland/stream crossings aligned and designed to minimize the loss of waters of the U.S.?

☐ Yes ___ No ☐ NA

21. Will the excavated material be returned to the trench and any remaining material relocated and retained on an upland disposal site? ***NOTE: Substrate containing roots, rhizomes, seeds, etc., must be kept viable and replaced at the surface of the excavated site. Impacted wetlands will be allowed to naturally re-vegetate from replaced substrate and/or be replanted with native wetland species.***

☐ Yes ___ No ☐ NA

22. Will stream banks that are cleared of vegetation be stabilized using bioengineering techniques and/or the planting of deep-rooting species?

☐ Yes ___ No ☐ NA

23. Will each individual wetland/stream crossing be stabilized immediately following completion of construction/installation?

☐ Yes ___ No ☐ NA

24. If the activity involves the placement of utility lines in wetlands, has the applicant proposed construction techniques to prevent wetland drainage?

☐ Yes ☐ No[1] ☐ NA

25. Does the PCN notification include:

- Specifications of how pre-construction contours will be re-established and verified after construction;
- A justification of the required width of all maintained utility crossings impacting waters of the U.S.;
- A justification of a loss of waters of the U.S. impacted by utility line sub-stations;
- The acreage of impacts to waters of the U.S. indefinitely converted from a forested wetland to an herbaceous wetland and a compensatory mitigation proposal.

☐ Yes ___ No ☐ NA

TO QUALIFY FOR THE NWP, UNLESS OTHERWISE NOTED, EVERY NUMBERED ITEM MUST HAVE A CHECKED BOX.

* - REQUIRES A PRE-CONSTRUCTION NOTIFICATION (PCN) TO THE DISTRICT ENGINEER.
SEE THE SEPARATE PCN CHECKLIST TO ENSURE THE PROSPECTIVE PERMITTEE SUBMITS THE REQUISITE INFORMATION.

NOTE: THE PCN MUST INCLUDE A DELINEATION OF SPECIAL AQUATIC SITES AND OTHER WATERS OF THE UNITED STATES. WETLAND DELINEATIONS MUST BE PREPARED IN ACCORDANCE WITH THE CURRENT METHOD REQUIRED BY THE CORPS.

Remember, determination of completeness must be made within 30 days of the date of receipt. If all required information is not provided, the prospective permittee will be notified that the preconstruction notification (PCN) is still incomplete and the review will not commence until all requested information has been received. If the applicant has not received any written notice from the DE within ***45 days*** of the date of receipt of the PCN, ***the verification is issued by default.***

[1] **-** If no construction techniques to prevent draining are proposed, the applicant must provide appropriate documentation that such techniques are not required to prevent wetland drainage.

Reviewed by:
Date: